

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

SEP 04 2012

JULIA C. DUDLEY, CLERK
BY: *J. Clayt*
DEPUTY CLERK

UNITED STATES OF AMERICA,) CASE NO. 7:09CR00027

v.

JANICE MARIE CARTER,) By: James C. Turk
Defendant.) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is

DISMISSED without prejudice, and this action is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 30th day of August, 2012.

James C. Ture
Senior United States District Judge